

## EXTENSIONS OF REMARKS

## DON'T PUNISH THE CHILDREN

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. FRANK of Massachusetts. Mr. Speaker, recently a group of very thoughtful and extremely well-informed experts in the field of welfare issued a statement objecting to proposals to penalize children who make the mistake of being born in the wrong circumstances. As the welfare experts I am referring to said in their statement:

Recently some have suggested that poor children born to unmarried parents should not be eligible for Aid to Families with Dependent Children, food stamps, or subsidized housing. . . . this is not in the best interest of children. While some signers of this statement believe that welfare has some modest impact on out-of-wedlock childbearing, we all agree that the damage done to children by denying assistance to their families would be far too great to justify eliminating the safety net for them. (Emphasis added.)

I look forward to working with many of my colleagues in changing the welfare system to add both an opportunity to work and a requirement to do so where the work is available. It is clearly in our interest as a society, and in the interest of those who will wind up on welfare themselves, to reduce drastically the number of out-of-wedlock births. But punitive proposals that deny minimum economic assistance to poor children whose only crime is to have been born in the wrong circumstances are not the way to do that. Even those most critical of some of the parents on welfare should understand the need to avoid any policy which visits the sins of the parents on the children.

Because these proposals have been given such currency, and because the list of those who have opposed them is an impressive one, and their reasoning quite persuasive, I submit the statement and list of signers to be printed here.

## WELFARE AND OUT-OF-WEDLOCK BIRTHS—A RESEARCH SUMMARY

As researchers who work in the area of poverty, the labor market, and family structure, we are concerned that the research on the effect of welfare on out-of-wedlock childbearing has been seriously distorted. As researchers, we are deeply concerned about the rising rates of out-of-wedlock childbearing and the high incidence of poverty and welfare use among single-parent families. However, the best social science research suggests that welfare programs are not among the primary reasons for the rising numbers of out-of-wedlock births.

Most research examining the effect of higher welfare benefits on out-of-wedlock childbearing and teen pregnancy finds that benefit levels have no significant effect on the likelihood that black women and girls

will have children outside of marriage and either no significant effect, or only a small effect, on the likelihood that whites will have such births. Indeed, cash welfare benefits have fallen in real value over the past 20 years, the same period that out-of-wedlock childbearing increased. Thus, the evidence suggests that welfare has not played a major role in the rise in out-of-wedlock childbearing.

There is, however, strong evidence that poverty harms children. Poor families often live in substandard housing and have difficulty purchasing basic necessities such as food and clothing. Research has demonstrated that poor children are more likely than nonpoor children to be too short and too thin for their age. Poor children also tend to develop academic skills more slowly than nonpoor children. And, poor children who live in poor neighborhoods are less likely than more affluent children to complete high school. Research in this and other countries also indicates that programs that provide employment and income assistance to poor families decrease poverty rates among children.

There are several plausible explanations for the rise in out-of-wedlock childbearing, although research has not determined which of these are important factors. Possible explanations include: changed sexual mores, decreased economic opportunity for low-skilled young men and young women, changed roles of women, the increased proportion of women in the labor market, and deteriorating neighborhood conditions stemming from racial segregation and industrial change. Focusing on welfare as the primary cause of rising rates of out-of-wedlock childbearing vastly oversimplifies this complex phenomenon.

Recently some have suggested that poor children born to unmarried parents should not be eligible for Aid to Families with Dependent Children, food stamps, or subsidized housing. Proponents of these drastic policies defend them as necessary to decrease the number of children born outside of marriage. We question the efficacy of such policies.

Policies that deny poor children basic income and nutrition assistance are likely to harm their physical and academic development and increase the incidence of homelessness and hunger among children. In addition, families that are left with no means to support their children may find that the only way their children's basic needs can be met is to place them in foster care or in an institution. Such parents would be forced to relinquish their children not because they are abusive or neglectful but simply because they are destitute. This is not in the best interests of children. While some signers of this statement believe that welfare has some modest impact on out-of-wedlock childbearing, we all agree that the damage done to children by denying assistance to their families would be far too great to justify eliminating the safety net for them.

We need significant improvements both in the welfare system and in other policy areas. Improvements in the child support system must be made so young men understand that if they father a child they will be required to

provide financial support for that child for 18 years and so fathers assume more parenting responsibilities. Changes in the welfare system must be made so more parents can move off welfare, into the workforce, and out of poverty. And, innovative approaches to curbing teen pregnancy should be pursued and strategies found effective widely implemented.

But ending welfare for poor children born out-of-wedlock does not represent serious welfare reform, and would inflict harm on many poor children. We strongly urge the rejection of any proposal that would eliminate the safety net for poor children born outside of marriage. Such policies will do far more harm than good.

Signatories: Larry Aber, Columbia University; Greg Acs, Urban Institute; Elijah Anderson, University of Pennsylvania; John Antel, University of Houston; Sheila Ards, University of Minnesota; Rebecca Blank, Northwestern University; Larry Bobo, University of California, Los Angeles; Larry Bumpass, University of Wisconsin; Martha Burt, Urban Institute; Glen G. Cain, University of Wisconsin; Maria Cancian, University of Wisconsin; Anne Case, Princeton University; Andrew Cherlin, Johns Hopkins University; Thomas Corbett, University of Wisconsin; Mary Corcoran, University of Michigan; Sandra Danziger, University of Michigan; Sheldon Danziger, University of Michigan; Greg Duncan, University of Michigan; Kathryn Edin, Rutgers University; George Farkas, University of Texas at Dallas; Ren Farley, University of Michigan; Ronald Ferguson, Harvard University; Frank Furstenberg, University of Pennsylvania; Irv Garfinkel, Columbia University; Peter Gottschalk, Boston College; Edward Gramlich, University of Michigan; Kathleen Mullan Harris, University of North Carolina at Chapel Hill; Robert Haveman, University of Wisconsin; Martha Hill, University of Michigan; Jennifer Hochschild, Princeton University; Saul Hoffman, University of Delaware; Robinson Hollister, Swarthmore College; Marjorie Honig, Hunter College; Joe Hotz, University of Chicago; Robert Hutchens, Cornell University; George Jakubson, Cornell University; Paul Jargowsky, University of Texas at Dallas; Christopher Jencks, Northwestern University; Alfred J. Kahn, Columbia University; Sheila B. Kamerman, Columbia University; Thomas Kane, Harvard University; Joleen Kirschenman, University of Georgia.

Marleka Klawitter, University of Washington; Sanders Korenman, University of Minnesota; Jeff Lehman, University of Michigan; Robert Lerman, American University; Kristen Luker, Princeton University; Irene Lurie, State University of New York at Albany; Douglas Massey, University of Chicago; Sara McLanahan, Princeton University; Jane Miller, Rutgers University; Robert Moffitt, Brown University; Kristin Moore, Child Trends, Inc.; Samuel L. Myers, Jr., University of Minnesota; Richard Nathan, State University of New York at Albany; Kathryn Neckerman, Columbia University; Demetra Nightingale, Urban Institute; Brendan O'Flaherty, Columbia University; Melvin Oliver, University of California, Los

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Angeles; Martha N. Ozawa, Washington University at St. Louis; Robert Plonick, University of Washington; Samuel Preston, University of Pennsylvania; Lee Rainwater, Harvard University; Lauren Rich, University of Michigan; Phillip Robins, University of Miami; Gary Sandefur, University of Wisconsin; Dona Schwartz, University of Minnesota; Theda Skocpol, Harvard University; Timothy Smeeding, Syracuse University; Mercer Sullivan New School for Social Research; Marta Tienda, University of Chicago; Harold Watts, Columbia University; Julie Boatright Wilson, Harvard University; William Julius Wilson, University of Chicago; Doug Wissoker, Urban Institute; Barbara Wolfe, University of Wisconsin.

## HEALTH CARE AFFORDABILITY

### HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. BEREUTER. Mr. Speaker, this Member commends to his colleagues an excerpted part of an editorial which appeared in the *Norfolk Daily News* on July 11, 1994. This is a thoughtful commentary as Congress continues to consider health care reform legislation.

[From the *Norfolk Daily News*, July 11, 1994]

#### AFFORDABILITY

Affordability may have been a test about Medicare, the program which insures health care for America's elderly, when it was created in 1965. Actuaries at the time indicated the costs might reach \$9 billion to \$12 billion by 1990. They were \$107 billion. No one has been penalized for the faulty forecasts.

In health matters, there is a desire to ignore costs and prescribe any treatment or perform any procedures which offer life-saving potential. That is because no monetary value can or should be put on a human life. Yet decisions about costs and benefits do have to be made. And the more the government becomes involved so set standards and pay the bills, the more standardized those decisions have to become; the more costly to taxpayers they will be.

If the government attempts to fix prices to ensure affordability, it will fall just as all price control plans have in the past. If it attempts through taxation or mandates on employers to provide insurance coverage for all, without regard to health risks, it inflates demands for health care, thereby driving costs higher.

Total health care costs in America are unlikely to go down. That is because better quality of care is increasingly available, and everyone who becomes ill wants the best that modern medicine offers. Having individuals determine what is best and what is affordable is the only way that effective cost discipline can be imposed.

It must be a collective decision of individuals, not that of government, to determine whether to continue to spend a trillion dollars (about 14 percent of the nation's total output of goods and services) on health care in 1994. The more that government does directly to intervene to control costs or specify treatments and subsidize health care, the more likely it is that total costs will rise, the quality of care reduced and choices diminished.

It is time to inject into the health care debate the principle that freedom of individuals to choose is important, too.

## UNITED STATES FOREIGN POLICY TOWARD HAITI

### HON. DAVID MINGE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. MINGE. Mr. Speaker, I am troubled by the long-term ramifications of our current United States foreign policy toward Haiti. I do not believe sending United States troops into Haiti will be any more successful in the 1990's than it has been in the past. I am especially concerned that the United States may act without the participation of our Central and Latin American friends.

Without question, we must try to help Haiti. Haitians continue to flee their beleaguered country on anything buoyant. In terms of wealth and living conditions, Haiti is the poorest nation in the Western Hemisphere. Human rights violations have increased dramatically under the oppressive military junta controlling Haiti. Nevertheless, we cannot afford to open our arms to hundreds of thousands of Haitian refugees. With a \$4½ trillion debt, our welcome wagon is bankrupt.

Neither can we afford to send U.S. troops into a dilemma destined for disaster. The use of military might without first sharply honing our objectives would be setting the military up to fail. Even using a special operations force would not work because we would need to establish a military presence for months, if not years, after ousting the current regime. A quick scan of the history pages should fill us with caution: United States military intervention in Haiti has failed in the past, and I do not see how this time would be significantly different.

Rather than intervening militarily, we should continue to tighten the noose around Haiti's military and its supporters through economic sanctions. Sanctions may not bring success as quickly as some people would like, but I believe they offer the best hope for helping Haiti. While sanctions will affect the Haitian people as well as its leaders, the violence that is part of military intervention takes a greater toll. We must, however, give sanctions time to work.

Improving human rights conditions and building an economic foundation in the Western Hemisphere's poorest nation will require the toil of more than the United States. What logic, after all, dictates that we must unilaterally police our hemisphere? Should Saudi Arabia intervene in the Yemen/South Yemen conflict? Should Germany alone resolve the strife in Bosnia? Should China step in and resolve the conflict between the Koreas? I think not. Instead, the United Nations and the nations closest to these areas should concentrate on finding solutions. In the case of Haiti, we should work with Central and Latin American nations as well as the United Nations to nurture a representative government. To do otherwise begs history to repeat itself.

## CONGRATULATIONS TO REV. O.C. COMER

### HON. PETER J. VISCLOSKEY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. VISCLOSKEY. Mr. Speaker, I would like to take this opportunity to congratulate Rev. O.C. Comer, president of the East Chicago Chapter of the National Association for the Advancement of Colored People [NAACP]. On July 14, 1994, the East Chicago chapter was honored for the fourth time under Reverend Comer's leadership with the Thalheimer Award at the 85th National NAACP Convention held in Chicago, IL. This esteemed recognition exemplifies the hard work and determination of Reverend Comer and his chapter members.

Reverend Comer, who is a resident of Gary, IN, and pastor of the Bethlehem A.M.E. Zion Church in Gary, has been an active participant with the East Chicago chapter for 30 years. Reverend Comer spent 15 of those years as vice president, and for the past 12 years he has served as the chapter president. Reverend Comer's noble ambition is to fight for others' rights in pursuit of a common cause. Reverend Comer, who is a life member with the NAACP, has brought tremendous pride to the chapter throughout his 12-year role as president.

Mr. Speaker, I wish to once again commend Reverend Comer and the East Chicago Chapter of the NAACP for their commitment to working together for the common goal of justice, equality, dignity, and jobs for all Americans. Through their actions, they have represented the entire NAACP organization, as well as the surrounding community, with tremendous distinction.

## TRIBUTE TO DRINKING DRIVER TASK FORCE

### HON. MIKE KREIDLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. KREIDLER. Mr. Speaker, it gives me great pleasure to recognize the outstanding efforts of the Drinking Driver Task Force of Kent, WA. This group has recently been cited by the 1994 National City Challenge to Stop Drunk Driving, receiving the Community Partnership Award for their exceptional work in community prevention programs.

Kent's Drinking Driver Task Force was started 10 years ago to combat the community's high accident and fatality rate from heavily congested areas and drunk driving. The all-volunteer steering committee conducts public information campaigns, monthly server training programs, youth conferences, highway safety poster contests in local schools, public DWI forums, and other activities.

The highlight of Kent's program is a youth conference called the game of life. It educates 215 junior and senior high school students on wellness activities and team building, giving them the skills to implement programs within their own schools. Overall, Kent's program has



helped to reduce the number of alcohol-related crashes by 27 percent, compared to a 13-percent improvement in adjoining communities.

I am pleased to draw attention to the immense contributions of the Kent community to the safety and wellness of its citizens. Over the past 10 years, donations to the task force from businesses, organizations and individuals have totaled \$450,000. Strong community support prompted the city of Kent to take over funding for the program's staff, beginning in 1994.

I urge my colleagues to join me in recognizing the successful efforts of the Kent Drinking Driver Task Force, especially paying tribute to the fine individuals who have made this program possible. I hope the task force will continue to serve as a positive role model for other communities.

#### RETIREMENT OF JOSEPH LAMIN

##### HON. HERB KLEIN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. KLEIN. Mr. Speaker, I rise today to honor Mr. Joseph LaMin of the Belleville Public Library and Information Center. Mr. LaMin is retiring this month after 22 years of dedication as the library's head of maintenance.

Mr. LaMin has helped the library undergo many changes. He assisted with the 1981 addition to the library and the 1985 renovation of the James J. Cozzarelli, Jr. Children's Room. He also helped with the 1990 redesign of the Trustees Meeting Room and Gallery, and the 1992 renovation of the library's Carnegie Library.

On a daily basis, Mr. LaMin proudly supervised the maintenance of the Main and Shafter Libraries, the library's lawn, as well as the new library computers.

It is with great pleasure that I ask my colleagues to honor Mr. Joseph LaMin on this distinguished occasion. I know that he will be deeply missed, and I wish him the best of luck in the future.

#### TRIBUTE TO AUNG SAN SUU KYI AND THE PEOPLE OF BURMA AND CONDEMNATION OF THE ILLEGAL RULE OF THE SLORC

##### HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. BERMAN. Mr. Speaker, today marks the fifth anniversary of the detention without trial of Aung San Suu Kyi of Burma, the leader of the National League for Democracy, which in 1990 won 80 percent of the votes in a national election, despite the Burmese military's every attempt to restrict its activities including the detention of its leader. The conscience of the world has recognized Suu Kyi's distinction, and she has received the Nobel Peace Prize for her commitment to nonviolence in the face of one of the most brutal dictatorships in the world.

We are also witnesses to the continued suppression of democracy and the continued denial of fundamental human rights in Burma. There can be no doubt about the violence and illegality of the rule of the so-called State Law and Order Restoration Council [SLORC]. The SLORC has frustrated the democratic will of the people of Burma by disregarding election results in which its opponents won an overwhelming 80 percent of the vote, and by holding Suu Kyi in illegal detention without trial for 5 years.

The SLORC has maintained its illegal rule by a combination of extreme violence against its peaceful opponents; corruption, theft of national resources, and complicity in narcotics trafficking; and the subjection of ordinary citizens of Burma of brutal forced labor.

The detention of Suu Kyi, under a 1975 law to protect against subversive elements, was illegal at the outset and turned the law on its head, since it was the SLORC which had subverted political legitimacy, whereas Suu Kyi was the legitimate leader of Burma. Even then, at the time of her detention, the law made by the Burmese military only allowed detention for 3 years. That meant that Suu Kyi should have been released 2 years ago. The SLORC has only compounded its original illegality by retroactively arrogating to itself the authority to detain for 5 years. Unless the SLORC releases her today, it will have violated its own illegal rules.

This is not surprising. The SLORC has demonstrated that it is one of the most illegitimate regimes in the world, and one of the worst violators of human rights. Its brutality has resulted not only in the death and detention of peaceful political opponents, but also in widespread refugee migrations from border areas.

I am proud that the United States has taken such a firm line in our own bilateral policy against the illegal SLORC regime, but I believe that we should go further still. I believe that we should impose economic sanctions; should aggressively pursue internationalization of such sanctions; and should forcefully advocate to our allies and trading partners the need for an international arms embargo. I also believe that all United Nations agencies and other international organizations which wish to continue operations in Burma should do so only in consultation with the legitimate authorities of Burma.

I am confident that a resolute policy of isolating the SLORC regime will restore to Burma the promising prospect that it faced at the time of its independence from Britain. Although the SLORC and its military predecessors have been responsible for serious damage to Burma's institutions and environment, I am heartened by the observation that the people of Burma have miraculously preserved their rich and sophisticated culture. How else could the National League for Democracy have won so handsomely after three decades of repression and serious interference with its right to campaign? This is a real reflection of the strength and resilience of the people of Burma. I look forward to working with my colleagues and with the administration to help restore the Government of Burma to its people, and to then help Burma take its place in the community of nations.

This is a matter which implicates not only the interests of the people of Burma, but the

interests of the United States in the emergence of a stable and just political order in a region of great economic interest to us. A stable Burma integrated into the regional economy can advance our interests, just as clearly as a violent and unstable Burma will act as a drag on the economic potential of the region. The short-term economic benefits of engaging with the present dictatorship are illusory and uncertain. Only a peaceful and legitimate political order can offer the security which long-term economic planning and investment require.

#### TRIBUTE TO THE CREW OF "APOLLO 11"

##### HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. POMBO. Mr. Speaker, on behalf of myself, and my constituents in the California 11th Congressional District, I am honored to rise before you today to pay tribute to the crew of *Apollo 11*. On this day 25 years ago, the Nation sat on the edge of their chairs as they watched Neil Armstrong become the first human to step on the Moon. Stepping off the lunar lander he uttered one of the most famous quotes in the 20th century, "That's one small step for man, one giant leap for mankind."

Though as a nation we will always be proud of the pictures sent back to Earth from the lunar surface, we also need to acknowledge the accomplishments of the thousands of men and women who participated in the Space Program. These individuals provide the talents, skills, and vision to make it possible to land a man on the Moon. The landing on the Moon is clearly more than just the actions of one single man, it represents what America as a nation can accomplish when its citizens set a goal.

We must never forget that 25 years ago, America accomplished before any nation an act that to some was perceived impossible. It was that impossible act which has guided our Space Program. As I stand here today, above me, the crew of the space shuttle is pioneering new experiments in space inspired by the two men who walked on the Sea of Tranquility on July 20, 1969.

This week we have seen fragments from the Shoemaker-Levy 9 comet impact the planet of Jupiter. Even though the pictures from Jupiter have provided enormous insight into this unprecedented occurrence, there are still thousands of questions that will need to be answered in the future. It is because of events like these, that we as a nation must continue to try to solve the mysteries of the universe.

After the lunar landing, Pan American Airlines began taking reservations for commercial trips to the Moon. Thousands of people signed up to travel to the lunar surface. Commercial space travel is still many years away, but until that time, individuals who want to travel to the Moon can only imagine that it was them 25 years ago making history. Someday in the future we may all be able to take "giant leaps" and "small steps" on the surface of the Moon.

Mr. Speaker, I am proud our Nation is taking a moment to honor Neil Armstrong, Buzz Aldrin, Michael Collins, and the over 400,000 men and women who worked on the Apollo Program.

175TH ANNIVERSARY OF LEBANON,  
TN

**HON. BART GORDON**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. GORDON. Mr. Speaker, I rise to congratulate the city of Lebanon, TN, on its 175th anniversary, which it will celebrate throughout the week of July 24. Lebanon, the Wilson County seat, certainly has a lot to celebrate.

For the past 2 years in a row, the Wilson County Fair has been named the Champion of Champions by the Tennessee Fair Association.

As all residents of Lebanon know, original settlers named the city for the Biblical land of cedars. That tradition has been preserved and shepherded under the able leadership of Mayor Don Fox, Mayor pro-tem Fred Burton and Aldermen Jerry Hunt, Arah Preston, Joe Hayes, Johnny Knowles, and Kathy Warmath, and by the generosity of public spirit of each of its residents.

Maybe that's why Lebanon is a little town with a big reputation that is growing bigger every day. The cities of Lebanon, MO and Lebanon, OR, after all, were founded by former Lebanon residents.

Famous Americans who have called Lebanon home include Sam Houston, the first president of the Republic of Texas and hero of the battle of San Jacinto; four Confederate and one Union generals; Maude Woodfork McElroy, America's original Aunt Jemima; Maggie Porter Cole, one of the Fisk Jubilee singers; and, of course, Robert E. Lee's horse Traveler.

Lebanon is rightly proud of its top-flight 10th District schools, of its many church and civic organizations and of first-class recreation programs.

Not to be overlooked is Cumberland University, one of Tennessee's finest, which has graduated former Gov. Frank Clement, Cordell Hull, and many others.

This week Lebanon's proud residents will mark their anniversary with a parade and field day, dinners and dances and singing and much else—just like they've been doing for 175 years now. I know I'm speaking for all middle Tennesseans when I warmly wish them another 175 happy years.

TRIBUTE TO MARTY JAKUBOWSKI

**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. VISCLOSKY. Mr. Speaker, I rise today to call your attention to Mr. Marty Jakubowski, a resident of Whiting, IN, in Indiana's First Congressional District.

On July 1, 1994, in Philadelphia's new convention center, Marty culminated his long quest for a title bout, earning the United States Boxing Association [USBA] lightweight championship title. Prior to the championship match against Philadelphia native Anthony Boyle, Marty had posted a most impressive record of 73–1, with 18 knockouts. This impeccable record illustrates Marty's special talents as a top-ranked lightweight boxer. Marty's determination and stamina proved to be the dominating force on July 1 as he recorded his 74th victory in a 12-round unanimous decision. As a result, Marty won the prestigious title of USBA Lightweight Boxing Champion.

Mr. Speaker, I wish to once again acknowledge this spectacular accomplishment that most boxers can only dream of completing in their career. Marty has chased this ultimate dream and made it a reality by triumphing in the USBA lightweight title bout. Marty has brought pride to northwest Indiana in his endeavors in the boxing world, and I wish him the best of luck as he continues his journey toward a world title.

**TAMARA KELLY, VOICE OF  
DEMOCRACY WINNER**

**HON. MIKE KREIDLER**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. KREIDLER. Mr. Speaker, I would like to recognize the achievement of Tamara Kelly, this year's Washington State winner of the Voice of Democracy broadcast scriptwriting contest, sponsored by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary.

The Voice of Democracy scholarship program, established 47 years ago, is endorsed by the U.S. Office of Education and National Association of Broadcasters, Electronic Industries Association, and State Association of Broadcasters. This past year more than 138,000 students competed for 39 scholarships totaling \$99,000, with the first place winner receiving a \$20,000 scholarship to the college of his or her choice.

The winner from Washington State, Tamara Kelly, is a 16-year-old junior at Franklin Pierce High School in Tacoma, WA. Ms. Kelly is a bright, motivated young person with numerous achievements in speech, debate, and writing. She is committed to education and hopes one day to become a teacher. Her award winning script, entitled "My commitment to America", focuses on the importance of quality education in a child's life.

I ask that my colleagues take the opportunity to read Ms. Kelly's valuable thoughts.

MY COMMITMENT TO AMERICA

(By Tamara Kelly)

In fifth grade I had a truly remarkable teacher. He taught me that I am an individual, and that I am unique and special and that no one has any right to tell me anything different. He showed me how to stand up for myself, and how to be my own person. He taught me that every person in the world is equal, regardless of anything anyone else might say. The ideals and values he gave me have lasted me throughout my life, and

whenever I have doubts about myself and my self worth, I always think of him and his never ending efforts to inspire me to greatness.

It is because of his encouragement that I have decided to become a part of the greatest, and most important profession in the world. My commitment to America is to become a teacher. If every individual in the United States would dedicate his or her self to the shaping and molding of the youth of America, our country could rise up and meet its awesome potential. So I'm going to take up my end of the great debt I owe to every teacher that has ever picked me up and brushed me off when I stumbled over the obstacles and crises of my life.

I'm going to repay the debt I owe to this country, and to those who have helped keep it the powerful force it is—by helping to make our children compassionate, fair-minded human beings, I am helping to insure that our country will remain the fantastic world power the very first leaders envisioned it to be.

To truly live and work up to it's potential, America must educate it's children, and not just in the three R's, but in every aspect of life, and life's dilemmas.

Teachers shape the lives of their students, and thus, shape the future of America. A teacher worthy of the name must school his or her students to be kind to those less fortunate than they themselves may be, regardless of race, creed or gender, and must teach respect, not only for all human beings, but especially for the elderly and the very young. A teacher must teach by example, by being fair and open minded, just as we hope our future leaders will be.

I believe that, as cliched as it may sound, children truly are the future of this great country, and that the success of the United States of America depends upon the values of it's youth.

In these troubled times our country needs wisdom and compassion more than ever. Unfortunately though, we are lacking enough role models who can help a child determine the difference between right and wrong.

School is where each child spends the vast majority or his or her life, logically, that is where the most emphasis on positive influences should be put. But instead, every day children go to school, and learn of prejudice and hatred. Students are surrounded by every imaginable danger and threat: racism, sexism, peer pressure to abuse drugs or alcohol—the threat of gang violence, rape or harassment is sometimes the foremost subject on the average student's mind. It's a sad commentary on our times when a student fears being shot, or raped, or stabbed at school. Yet hate is taught at school and at home.

There is hope, though. And our hope lies with the children of America. Not every child can live in the Cleaver family, not every child can have the excellent role models at home that some do. But sometimes having a caring teacher can make all the difference in the world. When no one else in the world is there for that child, at least she knows she can always turn to her teacher, for support and for guidance.

It's not too late to change the destructive patterns the youth of American has fallen into. By providing caring, and positive role models, we can effectively offset the negative role models in each and every child's life. It only take one person to make the difference.

My commitment to America is to help provide a role model to children who may not



have anyone else to look up to. If I can help just one child, if I can save just one child from gangs, or discourage one child from drug abuse, if I can keep one child from turning to a dead end street of violence or crime, then I believe that I have fulfilled my commitment to America.

If we educate our children in peace, they will not learn to fight. If we educate our children in the light of equality and fairness, they will not learn to be narrow-minded or prejudiced. And if we educate our children in love, they will not learn the meaning of the word hate. To educate our children, we must teach by example, and provide positive role models for them, thus making the United States of America a country with caring and altruistic leaders—a country worth living in, and dying for.

#### RETIREMENT OF BETTY OAKLEY

##### HON. HERB KLEIN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. KLEIN. Mr. Speaker, I rise today to honor Betty Oakley, a woman who has dedicated 21 years to the Belleville Public Library and Information Center. It is with great pride that I join the library staff and the township of Belleville in honoring her at her retirement.

Betty Oakley began working at the Belleville Library in July 1973. As supervising library assistant, Ms. Oakley has helped organize much of the library's books and media resources. As well as producing my computerized bibliographies, she has worked on the development of the Belleville Public Library's newsletter.

Recently, Ms. Oakley successfully coordinated the library's computerization project, and helped establish the Gaylord Galaxy System.

Ms. Oakley has maintained an excellent relationship with the community, and I am proud to ask my colleagues to join me in wishing her continued success.

#### LAW ENFORCEMENT SUPPORT FOUNDATION OF AMERICA

##### HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. TRAFICANT. Mr. Speaker, I rise today to honor an outstanding organization recently established in Staten Island, NY, the Law Enforcement Support Foundation of America. This foundation is the support network for officers and their families in their struggle to overcome medical problems. This network, comprised of former and current police officers, religious pontiffs and various businesses, support officers and their families with physical, emotional and financial difficulties regarding medical needs.

Mr. Speaker, this foundation rallies different sectors of a community and unites them for a common purpose: Support those officers, in their time of crisis, who consistently have supported us. As a former sheriff, I saw first hand the medical needs of officers regarding non-duty related illnesses. When all medical and

job benefits are exhausted the LESFA steps up to bat. They provide lodging for family members near the hospital of the patient, doctors provide pro bono care and pharmaceutical companies donate medication.

Mr. Speaker, this organization leads the charge of public service, successfully, without the intervention of government. The Law Enforcement Support Foundation of America should serve as a shining example of how true support, in critical times, comes from family and friends. I commend the dedicated men and women behind the LESFA, may they be blessed with health, happiness and continued success.

#### TRIBUTE TO ROLLING MEADOWS CHAMBER OF COMMERCE 1993 HONOREES

##### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. CRANE. Mr. Speaker, I would like to honor six very special business leaders in my district, who were recognized and honored on May 5, 1994, by the Rolling Meadows Chamber of Commerce for the leadership they have shown in their communities.

Thomas Threlkeld of Retailers Insurance Agency was honored as the 1993 Business Leader of the Year for his dedication, hard work, civic involvement, and leadership qualities. Having met personally with Tom, I can certainly attest to the qualities identified by the Rolling Meadows Chamber.

Dennis York, director of Rolling Meadows Public Works Department, was honored as the 1993 Community Leader of the Year. The Rolling Meadows Chamber honored Dennis "because he exemplifies the spirit of private enterprise in conducting operations of the city's public works department in a business-like manner for the benefit of the community." Dry pavements during snowstorms, Lake Michigan water, an improved recycling program, and bicycle paths are only a few of the achievements Dennis has accomplished during his 21 years with the city.

Continental Offices, Ltd. and Sterling Plumbing Group, Inc. both were honored with the 1993 Business Beautification Award. A honorable mention was given to the Women's Club. The Continental Towers received a facelift which included new landscaping, lobbies, and canopies. Sterling Plumbing's new building was transformed into an elegant fine kitchen and bath plumbing showroom. The Women's Club expansion included a day spa with its own entrance to fortify the flourishing Meadows Town Mall.

Gulliver's Travel was honored as Small Business of the year. Despite economic downturns, Gulliver's Travel doubled their size since Thomas R. Schedler's purchase of the agency in March 1992. His special attention to nonprofit organizations, honeymooners, business travelers, and others solidified this leadership in the community.

Mr. Speaker, I would like to congratulate the six business leaders of Rolling Meadows for their hard work and dedication. With their

leadership, Rolling Meadows and the Eighth Congressional District of Illinois is a better place to live.

#### REMARKS BY MR. NEIL ARMSTRONG

##### HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. BROWN of California. Mr. Speaker, on this the 25th anniversary of the first Moon landing, I would like to insert into the RECORD the eloquent remarks of Mr. Neil Armstrong, the first human to set foot on the surface of another world. These remarks were given at the White House today during a ceremony commemorating the *Apollo 11* mission.

REMARKS BY MR. ARMSTRONG, THE WHITE HOUSE, JULY 20, 1994

Thank you, Mr. Vice President, Mr. President, members of Congress, fellow astronauts, ladies and gentlemen.

Wilbur Wright once noted that the only bird that could talk was the parrot, and he didn't fly very well. So I'll be brief. This week America has been recalling the *Apollo* program and reliving the memories of those times in which so many of us here, colleagues here in the first rows, were immersed. Our old astrogeology mentor, Gene Shoemaker, even called in one of his comets to mark the occasion with spectacular Jovian fireworks. And reminding us once again of the power and consequence of celestial extracurricular activities.

Many Americans were part of *Apollo*, about one or two in each thousand citizens, all across the country. They were asked by their country to do the impossible—to envisage the design and to build a method of breaking the bonds of earth's gravity and then sally forth to visit another heavenly body. The principal elements—leaving earth, navigating in space and descending to a planet unencumbered with runways and traffic control—would include major requirements necessary for a space-faring people.

Today a space shuttle flies overhead with an international crew. A number of countries have international space programs. During the space age we have increased our knowledge of our universe a thousand-fold.

Today we have with us a group of students, among America's best. To you we say we have only completed a beginning. We leave you much that is undone. There are great ideas undiscovered, breakthroughs available to those who can remove one of the truth's protective layers. There are many places to go beyond belief. Those challenges are yours—in many fields, not the least of which is space, because there lies human destiny.

#### TRIBUTE TO MADELYN DICK

##### HON. MIKE PARKER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. PARKER. Mr. Speaker, I stand before you today, in the people's chamber, to honor Mrs. Madelyn Dick, the Pike County, MS, Civil Defense Director. Mrs. Madelyn will be retiring on August 1 from this position which she has

officially held for the past 13 years. With over 30 years of selfless service to Pike County, she has earned the respect, honor and friendship of local, State, and Federal officials, including my own, as well as that of the thousands of people she has helped.

Mrs. Madelyn worked with her late husband, Mr. Arsene Dick, in the Pike County Rescue Unit, which was established in 1964. Mr. Arsene became Pike County's first full-time civil defense director in 1972, with Mrs. Madelyn working side by side with her husband as his operations director. The civil defense office originally was located next to their home until it was moved to its present location in McComb in 1974.

In 1981, Mr. Arsene passed away, and Mrs. Madelyn took on the job of civil defense director. She helped establish the enhanced 911 emergency telephone system in Pike County and has served as 911 coordinator since its inception in 1986. She accepted the enormous task of naming all the roads in Pike County, which now number at nearly 650. Countless times over the years, she has brought emergency grant funds to Pike County and earned the respect of State and Federal emergency management officials. She created a low-income food program, the Emergency Food and Shelter Program, for the elderly in Pike County. Then the food was delivered to the Civil Defense Office and she distributed it, with the help of the county road crew.

Through the years, she has coordinated many rescue operations and was always personally on the scene to lead and offer assistance. For instance, she spent more than 76 hours on the job with little or no rest during Hurricane Andrew. During emergencies, she has served as dispatcher for the county road crew, dedicating numerous hours during tornadoes and floods to ensure that crews were sent where they were needed. Mrs. Madelyn also served as coordinator for Pike County's rural fire departments since their inception. She has seen to it that those departments have state-of-the-art equipment, some of the best in the State of Mississippi. Thanks to her efforts, these fire departments are ranked in the top ten in our State. With her dedication to public service and keen interest in good government, Mr. Madelyn also has served as secretary for the Pike County Democratic Executive Committee.

I personally am proud to call her my friend. I am extremely proud to represent in Congress this fine leader and true friend to people in need. Her career as director has been stellar. Mr. Speaker, at this time, I ask that my colleagues join me in saluting this hero, my friend, Madelyn Dick, for her personal strength, her many outstanding achievements, her willing sacrifices to her community and her dedication to excellent public service.

#### TRIBUTE TO ERIC SALMIN

**HON. PETER T. KING**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. KING. Mr. Speaker, I rise today to salute a young man from the village of Plainview

in my home district who has indeed performed a mitzvah. Thirteen-year-old Eric Salmin was so deeply moved by the plight of New York Jets quarterback Boomer Esiason's son, Gunnar, who is afflicted with cystic fibrosis, that he donated half of his Bar Mitzvah gift money to the Cystic Fibrosis Foundation. His selfless act is an inspiration to people everywhere, proving that each of us can have it in our hearts to reach out and do our part to help make a difference.

Eric not only helped to fight this dreaded disease through his generous donation but, through his action, helped to focus public attention on the fight to cure cystic fibrosis. He continues in that fight and led a major walk-a-thon on Long Island to raise money for the Cystic Fibrosis Foundation this May.

#### TRIBUTE TO NAVAL UNDERSEA WARFARE CENTER AT KEYPORT, WA

**HON. MARIA CANTWELL**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Ms. CANTWELL. Mr. Speaker, I rise today to offer praise and congratulations to an outstanding wing of our armed services, which is setting new standards for performance in Government. The Naval Undersea Warfare Center at Keyport, WA, is one of three recipients of the prestigious Federal Quality Improvement Prototype Award for 1994. This high honor marks the center as the pinnacle of excellence in the U.S. Armed Forces.

Keyport workers provide testing, evaluation and fleet support for the U.S. Navy, and their recipe for success is simple. They emphasize customer satisfaction and teamwork. They cultivate a respect for all employees. They have instituted quality management programs, which have long been popular in the private sector, and proven how valuable such programs can be for Federal operations. The results of their efforts are outstanding. From 1986 to 1992, the center saved Navy contractors—and the American taxpayer—almost \$75 million. And, amazingly, the center has continually realized its goal of zero profit, zero loss. Between 1982 and 1992, the net fiscal variance at Keyport was a mere 0.2 percent—on revenues of more than \$2.8 billion.

Vice President GORE's Reinventing Government Program has Members of Congress laboring to make our Nation more efficient and cost-effective. The Naval Undersea Warfare Center at Keyport is already a step ahead of us. We should learn from them, and we should applaud their success. I want to salute each of the 3,300 employees at Keyport, and to thank them for a job well done.

#### LITIGATION CRISIS IMPERILS ACCOUNTING PROFESSION

**HON. MICHAEL G. OXLEY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. OXLEY. Mr. Speaker, I am concerned about the fact that the accounting profession

is suffering under rapidly escalating litigation costs that are driving it away from auditing the small high-technology and high-growth companies that are often the target of meritless securities litigation.

Between 1990 and 1993, the litigation costs of the six largest accounting firms, excluding insurance, have nearly trebled, from 7 to 19.4 percent of accounting and auditing revenues. Accounting firms are responding to these skyrocketing costs by aggressively winnowing out clients. For many years, the six largest accounting firms consistently gained SEC audit clients at the expense of smaller firms. That trend has reversed. In 1993, five of the large firms showed a net decrease in such clients—in 1991, by comparison, only two firms showed a reduction in SEC clients. For 1993, the six firms experienced a net loss in SEC audit clients—losses exceeded gains by 20 percent. The trend has continued in 1994. For the first quarter of the year, losses by the six firms exceeded gains by 10 percent.

I am submitting for the RECORD an Accounting Today article that documents the impact of the securities litigation crisis on the accounting profession and the American economy. Notably, the author concludes that the accounting professions' difficulties are due in large part to its status as a "deep pocket" which, under joint and several liability, must pay 100 percent of the plaintiffs' damages, even if found only 1 percent at fault. Such a threat of massive liability can force a large settlement, regardless of the merits of the case. I am confident that my colleagues will see from this article how harmful the market incentives of the current securities litigation system are to the accounting profession and the economy in general.

Finally, I would like to note that there is pending legislation in both Houses of Congress (H.R. 417 and S. 1976) that corrects the flaws of the securities litigation system. I urge my colleagues to support this legislation, and help change the dynamics of the securities litigation system by reforming joint and several liability.

[From Accounting Today, Mar. 14, 1994]

#### LITIGATION CRISIS IMPERILS ACCOUNTING PROFESSION

(By Richard I. Miller)

Accounting Today has given considerable space over the last couple of months to a multi-part series featuring the philosophies of Melvyn I. Weiss.

Weiss has established himself as perhaps the nation's premier accountants' liability class action plaintiff's lawyer. From what I have seen, he has earned that distinction.

He makes his living suing accountants, and his articles attacking the accounting profession read like many of his briefs.

Most disturbing is his technique for stereotyping an entire profession because of a few highly publicized business failures that Weiss, and his colleagues in the plaintiff's bar, attempt to equate with audit failures.

It is more than coincidental that many of the positions he espouses for "the public good" do much to improve his entrepreneurial interests.

Weiss disputes the very existence of a litigation crisis.

He insists that a few extreme and isolated "horror stories" are representative of the vast amount of high quality work the accounting profession performs year in and year out.



He believes the accounting profession was wrong in seeking the role of auditors of publicly traded companies' financial statements, instead of leaving the job to the government.

He thinks it is an abuse of the litigation system for accounting firms to defend themselves against his law firm—and others like it—with the legal procedures available under the law.

He thinks tort reform is an effort to limit a plaintiff's access to the courts.

This is all, quite literally, incredible. It's time to set the record straight.

There is a litigation crisis, and it's getting worse.

There is no question that auditors' exposure to liability has generated increasing concern throughout the accounting profession. That concern is more than justified by the facts.

For example:

Sen. Christopher Dodd, D-Conn., chairman of the Securities Subcommittee Senate Banking Committee, recently announced his findings that "the securities litigation system is not working as it should and needs improvement."

The Public Oversight Board concluded in March 1992 that "the litigation risks confronting the profession pose serious dangers to the ability to perform its assigned role in society."

According to a recent survey of American Institute of CPA members, more than one in 10 firms intend to "discontinue doing business in certain industries or with certain organizations" because of litigation risks.

One-fifth of the firms indicated that they would "discontinue providing or performing certain types of services," also because of liability concerns.

One aspect of the profession's liability burden that has been the focus of recent public debate involves securities fraud class action lawsuits.

Virtually everyone who is familiar with the securities litigation system—with the notable exception of class action plaintiffs' lawyers—agrees that the system is not working as it should.

Congress is currently considering changes to that system.

Whether or not you call it an "explosion," both the number of securities class actions and the economic stakes involved in this litigation have climbed significantly in recent years.

The number of securities fraud class actions filed under Securities and Exchange Commission Rule 10b-5 has tripled since 1988, and a record 614 suits were filed in 1990 and 1991, more than in the five previous years combined.

Weiss' law firm alone filed 229 securities fraud lawsuits in the past three years. And, the average claim has soared to \$40 million, compared to just \$1.2 million in other federal actions.

#### WHO BENEFITS FROM ALL THIS LITIGATION?

The statistics that show the expanding magnitude of the litigation crisis do not, by themselves, make the case for liability reform.

If the litigation reflected an increase in wrongdoing, if the suits had legal merit, and if legal action was providing appropriate compensation to genuine victims of fraud, there would be little justification for change in the liability system.

Under those circumstances, economic discomfort for defendants could be viewed as the justifiable outcome of public policies designed to protect investors.

Unfortunately, this is not the case. The current system of class action litigation—

which fails to distinguish between meritorious and baseline claims—is not serving the interests of the investors it was designated to protect.

By diverting corporate resources from productive activities to legal costs, it diminishes the value of investors' holdings.

In addition, because it chills public disclosure of corporate financial data needed by investors—the exact opposite of what the securities laws were intended to—the interest of investors in the free flow of information is not served.

What's more, a variety of independent studies show that plaintiffs recover only pennies of every dollar in claimed losses. Thus, the investors' interest in receiving recompense for wrongs is not served.

Other studies have shown that virtually all cases are settled without any determination of guilt or innocence, compared to a typical settlement rate of 60-70 percent in other civil suits.

And, a recent analysis by National Economic Research Associates of White Plains, N.Y., found that settlement amounts do not reflect the merits of the case—they tend to reflect the depth of the defendants' pockets.

In fact, legal experts say the combination of high settlement rates and low recovery is strong evidence that the plaintiffs' cases are weak—otherwise they would insist on a trial, or demand large settlements.

This demonstrates that the interest of investors and the public to ferret out the truly culpable parties is not being served.

The conclusion, therefore, is manifest. This is not a system operating to the benefit of investors and creditors.

The only beneficiaries of this system, and the only parties whose interests are being served, are the plaintiff's attorneys and law firms who claim approximately one-third of every settlement they extract.

Perhaps most indicative of the failures of the current system is that shareholder and investor groups—often the plaintiffs in these suits—have come out in support of legislative reforms to the securities litigation system.

#### WHY PURSUING "DEEP POCKETS" IS THE STRATEGY OF CHOICE

The failings of the litigation system are traceable in large part to the doctrine of joint and several liability, under which a single defendant in a lawsuit can be held liable for the collective damages caused by all defendants.

This rule creates an almost irresistible incentive for plaintiff's attorneys to seek "deep pocket" defendants such as accountants, underwriters and outside directors, no matter how peripheral their involvement in the alleged misconduct.

A recent study shows that accountants as a class are the most frequent targets of weak securities claims.

Because the potential liability is so great and the legal costs of defending a suit so high, most defendants regard settlement before trial as the best business decision—even if they are innocent.

Given the near certainty of settlement, the system invites plaintiffs' lawyers to maximize the volume of suits, regardless of the underlying merits.

#### IN REMEMBRANCE OF R. JEROME JENKINS

##### HON. DAVID MANN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. MANN. Mr. Speaker, I want to take a moment today to remember Mr. R. Jerome Jenkins who died quite unexpectedly last Thursday at the age of 54. Mr. Jenkins had been the executive director of Seven Hills Neighborhood Houses for 22 years and played a key role in providing social services in the Greater Cincinnati community. His goal was to improve the lives of those people who may not have the same opportunities as those who are more fortunate.

Jerome brought energy, enthusiasm, and commitment to any project in which he involved himself. He had a can-do attitude no matter how difficult the task. Jerome had a profoundly positive impact upon innumerable young people in the community. His untimely passage has robbed us of a community leader and role model.

Mr. Jenkins was a graduate of Clark College in Atlanta with a bachelors degree in psychology and biology. He received a master's in social work from Atlanta University and a master's in community planning from the University of Cincinnati. He went on to obtain his doctorate in philosophy and sociology from U.C.

In addition to his work at Seven Hills Neighborhood Houses, Jerome was a member of the Cincinnati Bar Association's Judicial Selection Committee, the U.S. Census Bureau Advisory Committee on Population Statistics, a member of the United Way Campaign Cabinet, the Community Chest Board, and the WCET-TV Advisory Board.

I extend my condolences to Jerome's wife, Rose, his mother, Audrey, his sons, Roger, Courtney, and Oren, and his father-in-law, Henry Oliver. Jerome's spirit and dedication will be sorely missed.

#### THE CONTINUING DIVISION OF CYPRUS

##### HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. LEHMAN. Mr. Speaker, I rise before my colleagues today to express my concern over the continuing unrest in Cyprus on this, the 20th year of its illegal occupation by the Turkish Army.

I also want to thank my distinguished colleague from Florida for his efforts in focusing our attention on this illegal occupation and his call for peace and resolution on this sad and bitter anniversary.

As a result of the 1974 occupation, sadly there are still 1,619 Greek Cypriots and 5 United States citizens who remain missing and unaccounted for.

Since 1974, the United Nations has adopted numerous resolutions concerning Cyprus, resolutions that condemn the status quo as unacceptable and call for the withdrawal of the foreign forces, the return of the refugees, the ascertainment of the fate of the missing and respect for the human rights of all Cypriots. The Government of Cyprus, ever determined to reach a solution to the problem, has made every possible effort to reach an agreement.

Unfortunately, Turkey has ignored those efforts and the international community's persistent calls to resolve the Cyprus problem, and instead has systematically taken steps to obstruct the achievement of a just and lasting resolution of the Cyprus problem.

The United States Government has always supported a lasting solution and it is important that the Congress continue to firmly support the people of Cyprus by pressing Turkey to remove its illegal occupation force and work constructively for resolution. There must be a solution that will benefit both communities on Cyprus, stabilize the often tenuous relationship between Greece and Turkey, and be a significant step toward peace in the volatile eastern Mediterranean region.

The strong support of Congress combined with President Clinton's reaffirmation of his personal commitment to "work for an end to the tragic conflict on Cyprus, which is dividing too many people in too many ways," are clearly essential in bringing about a long overdue peaceful resolution of the Cyprus problem for the near future.

#### HEALTH CARE REFORM

**HON. LEE H. HAMILTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, July 20, 1994 into the CONGRESSIONAL RECORD.

#### HEALTH CARE REFORM

Many Hoosiers have asked me about the status of health care reform and how possible changes would affect them and their families. The health care debate can be confusing, and it is not yet clear what reforms will pass Congress this year.

The President has not been able to rally a majority in Congress behind his reform proposal, and a wide variety of plans are before Congress. Nearly all share two primary goals: to expand coverage, or to obtain universal coverage, while containing costs. Today, over 38 million Americans lack medical coverage and health care costs continue to rise at two or three times the rate of overall inflation.

Reaching a consensus on health care reform will not be easy. Americans want to reform the health care system but do not share a vision of what the system should be or how to achieve it. The major interested parties in health care reform—consumers, doctors, hospitals, employers, insurance companies, and taxpayers—all can have different views concerning health care, and reform hinges on balancing these often competing interests.

**Reform Proposals.**—If Congress is to reach a consensus concerning health care reform, it must agree on a number of issues.

**Benefits Package.**—A basic benefits package would provide preventive care, coverage for catastrophic illness, and some coverage of extended care and prescription drugs. The package could be taken from job to job, but consumers may have to pay a higher share of the cost to make them more aware of medical expenses so they consume health care more prudently. Obviously, the more generous the benefits the greater the cost. I think the benefit package should provide basic benefits, not Cadillac coverage. It is better to add benefits later if funding is available than the other way around.

**Choice.**—Americans strongly favor being able to choose their own doctor or hospital. I agree, and Congress is not expected to support reforms which would eliminate this choice.

**Education/Information.**—Health care reform almost certainly will emphasize better education and information. Consumers and health plans, for example, will be making more comparisons of the cost and quality of care.

**Universal Coverage.**—Expanded or universal coverage is a goal of health care reform, but it will be phased in gradually. Congress is not seriously considering a single-payer plan similar to Canada's, and support for employer or individual mandates is still short of majority in the House or Senate. Rather than mandate health insurance, it is more likely Congress will expand the pool of Americans who can obtain health coverage by implementing insurance reforms, tax incentives to encourage businesses to provide medical coverage, and government assistance to those who cannot afford coverage.

**Insurance Reform.**—Possible reforms include insurance for those with pre-existing conditions, guaranteed renewability or portability, movement towards standard insurance premiums (with variations for factors such as age or location), consumer protection, standardized forms to reduce paperwork, and allowing small businesses and individuals to join together to buy group insurance at lower rates.

**Malpractice Reform.**—Malpractice reform would reduce insurance costs and limit defensive medicine. Indiana is a leader in malpractice reform. Congress is considering national regulations.

**Anti-trust Reform.**—Anti-trust reforms would allow hospitals and doctors—especially in rural areas—to work together to better make use of limited resources. Such reform, for example, could make it easier for nearby hospitals to coordinate the purchase of expensive diagnostic equipment.

**Taxes.**—Congress is not expected to support a broad-based tax increase to pay for reform, and we probably will not tax employer-paid health insurance. Self-employed persons could receive a 100% tax deduction for health care expenses, just as employers now do. Taxes on tobacco products probably will increase.

**Cost-control.**—Congress is unlikely to support direct cost control. Instead, it will attempt to increase competition among health care providers in order to restrain cost increases.

**Trigger.**—A "trigger" device would activate in several years if reform goals such as increased coverage or cost control are not met. A "hard trigger" would, at a future date, either implement additional reforms or force Congress to vote on specific measures designed to achieve the unmet goals. A "soft trigger" would require Congress to consider how to achieve the unmet goals. Congress is more likely to adopt a soft rather than a hard trigger.

**Scope of Reform.**—As Congress considers health care reform, one important debate is between universal coverage and a more modest, incremental approach. I come down on the side of incremental reform.

First, I am concerned about whether Washington successfully can reform the health care system. It would be extremely difficult to restructure in a few months the \$1 trillion health care system developed over decades.

Second, managing a new health care system could be very difficult for the government. The government already is straining to deal with its current responsibilities, and there is an enormous amount of public distrust of government. If we put into place a health care system the government cannot handle, it could have severe consequences on our entire government system.

Third, while I see strong support for health care reform, I do not see a consensus for any single comprehensive reform proposal. Hoosiers are becoming more cautious as they learn more about health care reform. Our health care system has many strengths, and it makes sense to preserve what works well and build on it.

But this is not an argument for doing nothing. Enacting no health care reform can cause harm as well. As health costs continue to rise, fewer people can afford health insurance and more companies will drop medical coverage as part of their benefits. Also, larger companies are using their clout with health care providers to demand lower costs. These costs do not disappear, and smaller employers are being forced to pay more as expenses are shifted onto them.

I think Congress and the President should proceed with reforms which have strong public support, such as insurance reform, reducing red tape, and promoting managed care. What we should not do is try to reform the entire health care system in one year.

#### IN HONOR OF LOUISE AND CHARLIE ENDEL'S 50TH WEDDING ANNIVERSARY

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Ms. DeLAURO. Mr. Speaker, on July 23, 1994, the friends and family of Louise and Charlie Endel will gather to celebrate the couple's 50th wedding anniversary. The Endels are two extraordinary individuals whose commitment to community, friends, family, and each other has been an inspiration to those of us fortunate enough to know them. As a longtime friend and admirer of the Endels, I would like to join in paying tribute to the tremendous impact they have had on New Haven and Connecticut.

As people who actively participated in many arts, cultural, and education programs in New Haven, the Endels have been an invaluable source of support and assistance to our entire community. They have touched many lives, and their leadership, and contributions to the people of New Haven, have made the city a better place.

Louise has been a tireless fundraiser and activist for such worthy causes as A Better Chance, Inc., Leadership Education and Athletics in Partnership, Women's Health Services, Bridgeways Communications, and the



Long Wharf Theater. But her contributions cannot be quantified by how many boards she has chaired or community programs she has helped to succeed. Her real contribution can only be understood when you consider the enthusiasm and energy she puts into her work. She brings people together and inspires extraordinary achievements. It is a marvelous talent that has greatly benefited New Haven.

Charlie has also been an active supporter of the arts and education through his work for such programs as the American Field Service, the Creative Arts Workshop and Individuals with Prolonged Mental Illness. His commitment and dedication to our young people has helped many to realize their full potential. Like Louise, he inspires people and moves them to action.

In raising three daughters as caring and thoughtful as themselves, the Endels have passed their legacy of community activism to a new generation. Barbara, Susan, and Patricia are active in health care, the theater, and government and non profit work respectively.

The Endels have richly earned this 50th anniversary celebration, and I commend their extraordinary commitment and dedication to community, family, and each other. Loving parents and gifted leaders, they continue to inspire us and enrich our lives. I am honored to have this opportunity to recognize these special people. Congratulations, Louise and Charlie.

#### EVA ISAAC: AN APOLLO LEGEND

#### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. RANGEL. Mr. Speaker, I would like to bring to your attention and to the attention of my colleagues here in the House, a story which recently appeared in the Washington Post about one of Harlem's Apollo Theatre's most famous and adored fans—Eva Isaac.

I share this story with you in tribute to a woman whose spirit and vitality is a trademark of one of the most exciting and vibrant cities in the world: New York.

[From the Washington Post]

FRONT AND CENTER AT THE APOLLO

AMATEUR NIGHT DRAWS A TOUGH CROWD. JUST ASK EVA ISAAC.

(By James Earl Hardy)

NEW YORK.—The moment she walks into Harlem's famed Apollo Theatre, all heads turn. Some gasp. Others tap their neighbors, pointing and declaring in hushed tones, "It's her." A few ask for her autograph, even though they don't know her name.

And, as she is led by an usher through the lobby and to her seat—first row, center, No. 108—she is met with applause, blinding camera flashes, calls of "Woof! Woof!" and shouts of "You go, girl!"

Eva Isaac is an "Apollo Legend," without a doubt the Apollo's most famous Amateur Night audience member.

Every Wednesday night since 1935, the Apollo has hosted one of the liveliest open-mike talent competitions in the country. A dozen or so brave souls have graced the theater's stage each week and faced what many consider the toughest audience in the world.

How tough are they? Ask Luther Vandross. He was booed four times before he won.

Isaac has been a witness to this and many other hits and misses over the past 40 years. ("It's Showtime at the Apollo" airs tonight at 1 a.m. on Channel 4.) Neither rain nor sleet nor 12 inches of snow (through which, on one particular night, she trekked for several miles between her apartment in the Polo Grounds housing project and the theater) will stop her. She's only missed the festivities once. In 1987 she returned to Emporia, Va., where she was born and raised, to attend her mother's funeral.

"Folks know they can count on me to go out or do something for them, any time during the week—except Wednesday night," explains Isaac, as she peels off her coat and settles in what a young man sitting directly behind Isaac calls "her throne."

"If I go on vacation, I'll leave after the show and make sure I'm back in time for next week's. I just can't miss it!" says the diminutive, bespectacled 56-year-old woman, whom some around here call "Miss Apollo."

"She weaves this magic over the place that you just can't explain," says Leon Denmark, executive director of the Apollo Foundation, the group that runs the theater. "Stars fade, fads come and go, but Eva doesn't. She's always there to help strike up the band."

Isaac usually gives the first "thumbs up" or "thumbs down" sign to contestants, and does it in a way only she can. There was the time a male dance trio from the Bronx called Rhythm in Motion strutted their stuff off of the house version of Janet Jackson's "If." No more than 15 seconds into their performance, Isaac jumped out of her seat, pointing to the stage and screaming, "Ya'll betta dance!" She started gyrating her own hips and shaking her rump, even working the groove with one of the fellas when he came to the foot of the stage. Her energy was infectious. Many in the audience followed her lead, bopping along to the beat or clapping and cheering.

Another act was not as lucky. A young woman from Newark tried her best to belt out Mariah Carey's "Hero," but had barely gotten through the first few lines when Isaac calmly rose out of her seat, placed her hands on her hips and declared, "Sorry, baby, but you can't sing!" She waved at the woman before sitting down, which seemed to be a cue for the audience. A somewhat scary chorus of boos and hisses erupted, and Sandman Sims, the resident clown and bearer of bad tidings, pranced out with his cane to "rope" the young woman off the stage.

Giving someone the boot isn't something that Isaac really enjoys, though. "Whoever comes from behind that curtain, I want them to win. And I know that it takes a lot of courage to come out in front of some strangers and try to do your thing, so I give them all the utmost respect for that and give them the benefit of the doubt. But you shouldn't half-step, because we are hard to please." So hard, in fact, that some contestants are smart enough to seek out Miss Apollo's advice before they go on.

Isaac vividly recalls her very first Amateur Night, not long after she stepped off a bus from Virginia for a new life at the tender age of 17.

"It was another world for me," she explained. "You got to remember that I was a farm girl. I milked the cows and cut the wood and picked cotton and pulled tobacco. There was 26 of us"—her parents, eight blood-related siblings including a twin sister, and another couple and their 13 children whom Isaac's father took in after they lost

their land. "It was crowded, honey! I guess I felt smothered, lost in the mix."

"So picture me coming to New York and seeing, for the first time, the people I would read about in the paper or hear on the radio in the town store. They were live, for real, onstage. They were larger than life, so pretty and handsome, dressed to the nines, you know? All that glitter and gold, the sequins and gowns, and all that hair! I don't know, but something took over me—the lights, the feeling of being with so many other people—it made it seem like a big family. It just set me free, let this other me inside come out. I was ready to party, you hear?"

And the party has continued every week since. Isaac didn't slow down when she married (her husband, who died in 1992, joined her when he wasn't working). Nor did she let children get in the way. Unless they had chores or homework, all five of hers, now ages 22 through 38, also came along. "It was certainly better than letting them run the streets," says Isaac. And all the exposure to show biz paid off in one instance: Her son Erskine is a booking agent.

It was after one of her stellar performances—climbing up onstage and demanding that a male crooner "Sing it!"—that Ralph Cooper Sr., who began Amateur Night in 1935 and served as its emcee until his death two years ago, came up with the idea of "booking" the woman he addressed as "my girl, Eva." Isaac was awarded a lifetime pass in 1962.

And she has seen a lot from that seat. "Little Stevie Wonder, little Michael Jackson and the Jackson 5, Gladys Knight, the Supremes, the Temptations, all the biggies. And there are, of course, the wannabes, those people who want to be the next Michael or Gladys. Some of them cried, some of them laughed about bombing out. But I loved them all because they dared to dream, they took a chance. They will be a part of me always. I feel like I know them all personally, like they are all my children."

Because the amateur competition, which helped launch the careers of Ella Fitzgerald, Dionne Warwick and James Brown, is seen internationally on the tube, Isaac is also seen around the world. Fans from other countries have sent her flowers and letters. Such musical giants as R&B diva Patti LaBelle, blues legend B.B. King and "Quiet Storm" crooner Keith Washington have given her their props from the Apollo stage. Washington's rose has been wrapped in aluminum foil and stored in her freezer for the past three years.

Isaac has no thought of retirement, even though there is a home in Scottsville, Va., left to her by her father. She rents it out to her children, and to hear her tell it, they may end up living in it for the rest of their lives.

"Even if I do decide to—how do they say it, chill?—it'd be hard leaving the Apollo behind," she admits with a smile. "It really is my second home, you know."

#### THE FIRST ANNIVERSARY OF "DON'T ASK, DON'T TELL"

#### HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. NADLER. Mr. Speaker, yesterday was the first anniversary of the introduction of the so-called, "Don't Ask, Don't Tell, Don't Pursue" policy regarding lesbian and gay soldiers

in the U.S. military. One year later, it is clear that this policy is an abysmal failure. The new policy has actually made things worse. Gay and lesbian servicemembers who were lulled into a false sense of security when the policy was first issued have had their fondest hopes betrayed.

Despite this new policy, the services are asking, are pursuing, and are discharging. In fiscal year 1993, during which this policy was promulgated, the number of discharges for homosexual conduct actually went up. A recent article in the New Republic tells the story of an Air Force airman who was turned in by a fellow airman, because the second had intercepted the first's private correspondence to a civilian friend. He hadn't told, he wasn't asked—at least not at first—but he was pursued all the same. A growing body of evidence collected by the Servicemembers Legal Defense Network indicates that this kind of story is not at all uncommon.

The argument in favor of continuing the ban is simply a rehash of the old myth that some spouted in the 1940's when they wanted to prevent African-Americans from serving their country. Then as now, they argued, against all evidence, that the military cannot function unless the Government panders to the intolerance, prejudice, and fear of the majority. But this is wrong. In fact, soldiers spying on their comrades' private lives does more to undermine unit cohesion than a platoon of lesbian and gay soldiers. The loss of skilled officers and enlisted personnel has severely weakened our readiness, and wasted taxpayer dollars. The policy is also plainly unconstitutional. As the District of Columbia Court of Appeals said last year in the Joseph Steffan case, "The Constitution does not allow government to subordinate a class of persons simply because others do not like them."

This policy is unconstitutional. Let people who want to serve their country serve their country. We should mark the first anniversary of Don't Ask, Don't Tell by revoking it. A policy that indulges and condones discrimination and weakens rather than strengthens our Armed Forces is an unworthy policy.

#### DON'T ADD BAGGAGE TO GATT

**HON. DANA ROHRABACHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. ROHRABACHER. Mr. Speaker, there is much discussion that the GATT implementing legislation, when it is formally submitted to Congress, will include a provision that will change U.S. patent law to the detriment of small inventors in the United States.

The GATT agreement requires the signatories to provide patent protection to inventors for a minimum of 20 years from the date filing for the patent. The current U.S. patent law provides patent protection for 17 years from the grant of the patent. Reportedly the GATT implementing legislation will change U.S. patent protection to 20 years from filing. This will hurt small inventors and U.S. competitiveness because many complicated and contested patents take 14 or more years from filing to the

actual grant of the patent. The change proposed in the GATT legislation would reduce the effective value of the patent to the inventor. This will reduce the incentive to U.S. inventors and thereby damage U.S. competitiveness.

The GATT goals can be met by increasing the length of the patent term to 20 years from the date of grant. Alternatively, the law could also be changed so that it protects the inventor for 20 years from filing or 17 years from grant, whichever is longer. Either of these would be consistent with the GATT agreement and provide true protection to inventors from delays by patent examiners or by special interests with deep pockets who wish to, for economic reasons, contest or delay patent applications.

Mr. Speaker, the Biotechnology Industry Organization whose members are dependent upon fair and secure patent protection, has recognized the danger of the GATT proposal with respect to patent law protection. I commend to my colleagues the following letter from the biotech industry. If, after reading this letter, you agree that U.S. patent law should not be effectively shortened to 20 years from filing you may contact my office or Congresswoman BENTLEY to sign a letter to President Clinton to make U.S. patent terms 20 years from the time of the grant.

BIOTECHNOLOGY INDUSTRY  
ORGANIZATION,  
Washington, DC, June 27, 1994.

Ambassador MICKEY KANTOR,  
U.S. Trade Representative,  
Washington, DC.  
Re GATT-TRIPS/S. 1854/H.R. 4505.

DEAR AMBASSADOR KANTOR: We are writing on behalf of the Biotechnology Industry Organization (BIO), the trade association which represents the interests of 525 members active in biotechnology, concerning the General Agreement on Tariff and Trade (GATT) Agreement and legislation to implement the agreement.

As an industry with a positive balance of trade we support full and fair international trade. Therefore, we welcome many features of the GATT Agreement, including elimination of tariffs and the stronger intellectual property protection provided under the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) which forms part of the GATT Agreement.

We do, however, have serious concerns relating to draft legislation to implement the agreement. Specifically, we believe that limiting the patent term to 20 years from filing, without adopting either a package of safeguards or other reforms, will seriously disadvantage our industry, which is particularly prone to lengthy delays between the filing of a patent application and subsequent issuance of the patent.

This threat to our industry can be avoided, while at the same time complying with GATT, by leaving the present patent terms of 17 years from issue unchanged other than to insert language stating that the term will not be less than 20 years from filing, extending 35 USC 104 to all GATT (WTO) countries and, incidental to this, but apparently overlooked when implementing NAFTA, amending 35 USC 102(g) in a similar manner. We attach two proposals for such amendment to 35 USC 154. This proposal would not only be in full compliance with GATT but would greatly simplify the implementing legislation by completely avoiding all additional provisions

currently proposed in connection with patent term extension for interference delays, provisional protection and the like.

In the event that despite our suggestions above, change to a patent term of 20 years from filing remains in the proposed legislation, we urge the following three steps be taken:

The extension provisions should also apply to cases involved in protracted appeals. The Administration's attempt to deal with the potential inequities of moving to a patent term of 20 years from filing by permitting patent term extension for patents involved in interferences, while welcome, does not go far enough and should apply to protracted appeals. Without this change the effect in many cases of a 20 year term would be to cut back on the current effective length of the patent terms available to biotechnology inventors.

The amendments should not apply to inventions which were filed on or prior to the effective date even if refilled thereafter.

The Administration should commit in a Statement of Administrative Policy to shorten the processing time of Patent Applications through the following: (i) increased staffing at the Patent and Trademark Office; (ii) support for ameliorative legislation such as the Biotechnology Patent Protection Act; and (iii) strict guidance to Patent Examiners on questions of utility particularly in the biotechnology area. This latter issue is discussed in the attached outline of our concerns regarding the utility issue.

Finally, we are concerned with the fact that the TRIPS Agreement contains provisions which are subject to abuse, namely exclusion of certain inventions in the biotech area from protection and lengthy delays in implementation because of which we need to maintain options for bilateral action. We, therefore, support efforts to preserve the vitality and viability of special section 301 to address these two deficiencies.

We have analyzed the two bills which have been introduced to implement the Agreement. This letter is accompanied by a detailed commentary regarding S. 1854, which sets out the problems with this particular bill. Similar concerns arise with regard to H.R. 4505, which we understand to be virtually identical to the Administration's draft GATT implementing proposal on this issue.

Our concern about these bills is based on our experience with the patent law as it applies to the biotechnology industry, which is outlined here.

#### (A) DELAYS IN THE PROSECUTION TO ALLOWANCE AND ISSUANCE OF APPLICATIONS

##### (a) Prosecution

(i) Utility Current patent office practice places demands upon Applicants to provide clinical data in support of inventions claiming therapeutic activity which form the major part of inventions in the biotechnology area. Whether or not this requirement is correct, and we believe it is not as outlined in the attached paper, generation of these data is inordinately time consuming because of regulatory and safety requirements and requires a major commitment of resources.

(ii) Scope In a new field such as biotechnology where there is scant binding legal precedent both the Patent Office and Applicants require much to and fro communications as well as guidance from higher authorities to determine patentable claim breadth.

(iii) Appeals Because of the requirements of (i) and (ii) Appeals to the Board of Patent



Appeals and Interferences (BOPAI) and higher yet to the Court of Appeals of the Federal Circuit (CAFC) are frequently inevitable and all the more likely for more significant or important inventions. In such cases delays of 10 years from filing are not uncommon (see attached examples).

(iv) *Interferences* The relative incidence of interferences in the area of biotechnology inventions is exceptionally high, and the interferences themselves are frequently unusually complicated and/or adversarial (=little willingness to settle), requiring 8 to 10 years to final resolution (see attached examples). Additionally, these protracted interferences typically involve pioneer inventions and it would be demonstrably unfair to penalize an inventor with a shorter effective patent term because of the dilatory tactics of a competitor.

Each of these four factors, especially if combined, would lead to excessively lengthy patent prosecution and shortened effective patent life if a 20 year from filing term is introduced.

#### (B) CONTINUING APPLICATIONS AND RETROACTIVITY

The proportion of applications refiled as continuing applications is disproportionately high in the biotechnology area. This is usually the result of either a need to generate clinical data and/or the oft-encountered practice of patent examiners finally rejecting applications but indicating they will allow cases if they are refiled with restricted scope. This latter is a temptation which is economically hard to resist for many of our members who rely on patent portfolios to attract investments.

As currently worded these bills could rob inventions made and prosecuted under law and practice prevailing prior to its enactment of a significant period of patent life even if Applicants were forced to file a continuation application after the effective date of the legislation to preserve their rights. We have attached data on the length of appeals for biotechnology patents and examples of interferences.

In proposing a de minimis approach to the implementing legislation BIO is not reversing its position on harmonization issues where we favor a patent term of 20 years from filing and early publication as part of a balanced package. BIO is also sympathetic to the problem of submarine patents apparently encountered by some other industries. We have doubts, however, whether a patent term of 20 years from filing effectively eliminates submarine patents other than those issuing on applications having pendencies of 20 years or more. Finally, our proposal would not in anyway compromise the recent understanding between the USPTO and the JPO.

We urge that these measures be considered, of all their ramifications and careful fine tuning to avoid dealing an unnecessary blow to at least one sector of US industry which relies heavily on effective patent protection for its competitiveness and ultimately, survival.

We will be happy to meet, discuss and work with you and your staff to implement GATT/TRIPS in a way which minimizes the risk of unintended effect and at the same time to work expeditiously towards other desirable reforms. We also would be interested in proposing an agenda of administrative actions which could be taken by the Administration.

We very much appreciate this opportunity to offer BIO's view on this legislation and look forward to working with you on this critical issue.

Sincerely,

CHARLES E. LUDLAM,

Vice President for  
Government Relations.

CARL B. FELDBAUM,  
President.

#### LAND GRANT DESIGNATIONS FOR TRIBAL COLLEGES

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. WILLIAMS. Mr. Speaker, today, I am introducing a bill with a number of my colleagues to provide land-grant college status to our Nation's tribal colleges. The bill would give 29 tribal institutions this status, and would authorize appropriations to assist these institutions in meeting the responsibilities that go with such land-grant designation.

The tribal colleges that would benefit from this status are tribally controlled higher education institutions located on or near Indian reservations. Most of the 29 institutions are 2-year colleges, but there are 4-year institutions and one offers programs leading to a master's degree. Located in 12 States, these tribal colleges are the most important provider of higher education opportunities for native Americans, serving 14,000 students each year. They have been remarkably successful at retaining students and sending them on to 4-year colleges. They are also important providers of community services, such as alcohol and drug abuse programming and counseling, job training, and economic development support, advice and assistance. I think it is fair to say that these colleges are vitally important to the communities in which they are located.

Granting these 29 tribal institutions land-grant status makes perfect sense. The original land grant legislation, the Morrill Act of 1862, authorizes States to use the income from certain public lands to establish and operate "colleges for the benefit of agriculture and the mechanic arts." Since that time, land-grant status has been granted to a number of additional institutions through separate acts of Congress. But the underlying purpose of the original Morrill Act has always been retained, that being to enhance the ability of our Nation's land-grant college system to develop programs that deal with the problems of the rural poor and to improve economic opportunities for rural people. Tribal colleges can, must and do play a vital role in this endeavor. In fact, tribal colleges are essential in serving the needs of the rural Indian population of our Nation. And in many States those services extend far beyond the Indian population, as tribal colleges perform vitally needed economic and community service to people and communities surrounding reservations.

By granting tribal colleges land-grant status, they will be able to perform this role more effectively. Despite the historical special relationship of the United States to American Indian tribal governments and their people, and despite the important roles Indian postsecondary institutions perform in their communities, Federal financial support has been far below that experienced by land-grant colleges. And yet, the missions of tribal colleges are exactly simi-

lar to those of land-grant institutions, and their communities have the same needs for agricultural services and extension services as those of communities served by existing land-grant institutions. My bill, by granting land-grant status to tribal colleges, will give them the chance to get the funds they need to serve their communities effectively.

And this bill will have another important impact. It will strengthen the relationship between existing land-grant institutions and tribal colleges, something that can only benefit both institutions. Existing land-grant colleges, being the flagships of our Nation's higher education research enterprise, have important resources and expertise that they can share with tribal colleges. And tribal colleges, because they have a unique appreciation and relationship with native American people, can help land-grant colleges understand the best way to serve the needs of Indian people. Getting these two sets of colleges to work together, which my bill does, will forge an alliance that can only be for the good of all Americans.

Finally, for far too long tribal colleges have been treated as stepchildren in our system of higher education. Land-grant designation will provide a status to these institutions that will bring about a rightful acknowledgement and recognition that these are important, vital institutions who are significant partners in our higher education enterprise. That acknowledgement and recognition can only benefit the students and communities these tribal colleges serve. And in the long run, every community in our country benefits from that.

Mr. Chairman, the bill I am introducing today has bipartisan congressional support. It has been endorsed by the National Association of State Universities and Land-Grant Colleges, in large part because that organization realizes that all of higher education benefits from a cooperative and collaborative relationship between its members and tribal colleges. Probably the best way to forge that relationship is by putting these institutions on equal footing by granting land-grant status to tribal colleges. I hope my colleagues will agree with me and give this bill their support.

#### SOUTH FLORIDA THREATENED BY THE MELALEUCA TREE

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 1994

Mr. DEUTSCH. Mr. Speaker, I would like to tell you about the melaleuca tree—a noxious weed that threatens to destroy the Everglades and fundamentally change the landscape of the Southeastern United States. Melaleuca was imported from Australia at the turn of the century to help dry the swamps of south Florida. Now the Department of Agriculture estimates that melaleuca infests about 35 percent of south Florida wetland areas.

Melaleuca continues to spread throughout south Florida at a rate of 52 acres per day. This invasion threatens not only Florida but also other coastal wetland areas ranging from Texas to South Carolina.

To combat this invasion, the Corps of Engineers, the Department of Agriculture, and the

State of Florida are collaborating on a research project to identify the natural enemies of melaleuca and other exotic plants. This project requires construction of a quarantine facility where insects and other biological control agents can be safely tested.

Today I am joined by my friend CLAY SHAW and other Members of the Florida delegation in introducing legislation to authorize funding for this project. I encourage my colleagues to cosponsor this measure and help combat this pest.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 21, 1994, may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### JULY 22

9:00 a.m.

Labor and Human Resources  
Disability Policy Subcommittee

To hold hearings on S. 2140, to permit an individual to be treated by a health care practitioner with any method of medical treatment such individual requests.

SD-192

Joint Economic

To hold open and closed hearings to examine the economic conditions in China.

SD-628

9:30 a.m.

Foreign Relations

To hold hearings on the nominations of Robert A. Pastor, of Georgia, to be Ambassador to the Republic of Panama, and Curtis Warren Kamman, of the District of Columbia, to be Ambassador to the Republic of Bolivia.

SD-419

10:00 a.m.

Banking, Housing, and Urban Affairs

To hold hearings on the nominations of Janet L. Yellen, of California, to be a Member of the Board of Governors of the Federal Reserve System, and Julie D. Belaga, of Connecticut, to be a Member of the Board of Directors of the Export-Import Bank of the United States.

SD-538

Labor and Human Resources

To hold hearings to examine health insurance coverage for American and foreign employees of multinational corporations.

SD-430

##### JULY 25

1:30 p.m.

Governmental Affairs

Oversight of Government Management Subcommittee

To hold oversight hearings on the Environmental Protection Agency's implementation of the non-attainment provision of the Clean Air Act in the Lake Michigan region.

SD-342

2:00 p.m.

Foreign Relations

To hold hearings on the nominations of Dorothy Myers Sampas, of Maryland, to be Ambassador to the Islamic Republic of Mauritania, E. Michael Southwick, of California, to be Ambassador to the Republic of Uganda, Carl Burton Stokes, of Ohio, to be Ambassador to the Republic of Seychelles, and Brady Anderson, of Arkansas, to be Ambassador to the United Republic of Tanzania.

SD-419

Indian Affairs

To resume hearings on S. 2230, to revise the Indian Gaming Regulatory Act.

SD-106

##### JULY 26

9:30 a.m.

Energy and Natural Resources

To hold hearings on the nomination of Elizabeth Anne Moler, of Virginia, to be a Member of the Federal Energy Regulatory Commission, Department of Energy.

SD-366

2:00 p.m.

Judiciary

To hold oversight hearings on the activities and programs of the Department of Justice.

SD-226

2:30 p.m.

Agriculture, Nutrition, and Forestry

Agricultural Research, Conservation, Forestry and General Legislation Subcommittee

To hold hearings on the Administration's proposed legislation relating to meat and poultry inspection.

SR-332

##### JULY 27

10:00 a.m.

Judiciary

To hold hearings on the nomination of Lois Jane Schiffer, of the District of Columbia, to be an Assistant Attorney General, Department of Justice.

SD-226

2:00 p.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold hearings on S. 2253, to modify the Mountain Park Project in Oklahoma, S. 2262, to amend the Elwha River Ecosystem and Fisheries Restoration Act, and S. 2266, to amend the Recreation Management Act of 1992.

SD-366

##### JULY 28

9:30 a.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 2121, to promote entrepreneurial management of the National Park Service.

SD-366

Rules and Administration

To hold hearings on S. Res. 230, to designate and assign two permanent Senate offices to each State.

SR-301

2:00 p.m.

Veterans' Affairs

To hold hearings on the nomination of Linda Marie Hooks, of Georgia, to be an Assistant Secretary of Veterans Affairs (Acquisition and Facilities), and pending legislation.

SR-418

2:30 p.m.

Agriculture, Nutrition, and Forestry

Agricultural Research, Conservation, Forestry and General Legislation Subcommittee

To hold hearings on S. 985, S. 1478, and S. 2050, bills to improve existing legislative authority regulating the use of pesticides and to insure public health and environmental benefits.

SR-332

##### JULY 29

9:00 a.m.

Governmental Affairs

Regulation and Government Information Subcommittee

To hold joint hearings with the Committee on the Judiciary's Subcommittee on Juvenile Justice to examine the video rating system, focusing on violent video games.

SH-216

Judiciary

Juvenile Justice Subcommittee

To hold joint hearings with the Committee on Governmental Affairs' Subcommittee on Regulation and Government Information to examine the video rating system, focusing on violent video games.

SH-216

9:30 a.m.

Commerce, Science, and Transportation  
Communications Subcommittee

To hold hearings on proposed legislation authorizing funds for programs of the Federal Communications Commission (FCC).

SR-253

##### AUGUST 1

2:00 p.m.

Indian Affairs

Business meeting, to mark up S. 2269, to protect the Native American cultures and to guarantee the free exercise of religion by Native Americans, S. 2075, to authorize funds for and to strengthen programs of the Indian Child Protection and Family Violence Prevention Act, and S. 2036, to specify the terms of contracts entered into by the United States and Indian tribal organizations under the Indian Self-Determination and Education Assistance Act.

SR-485



AUGUST 2

2:30 p.m.

Energy and Natural Resources  
Public Lands, National Parks and Forests  
Subcommittee

To hold hearings on S. 1222, to revise the boundaries of the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island, S. 1342, to establish in the Department of the Interior the Essex Heritage District Commission, S. 1726, to provide for a competition to select the architectural plans for a museum to be built on the East St. Louis portion of the Jefferson National Expansion Memorial, S. 1818, to establish the Ohio and Erie Canal National Heritage Corridor in the State of Ohio as an affiliated area of the National Park System, S. 1871, to establish a Whaling National Historical Park in New Bedford, MA, S. 2064, to expand the boundary of the Weir Farm National Historical Site in Connecticut, and S. 2234, to amend the

Mississippi River Corridor Study Commission Act of 1989 to extend the term of the commission established under that Act.

SD-366

AUGUST 4

2:00 p.m.

Energy and Natural Resources  
Water and Power Subcommittee

To hold joint hearings with the Committee on Indian Affairs on provisions of S. 2259, to provide for the settlement of the claims of the Confederate Tribes of the Colville Reservation concerning their contribution to the production of the hydropower by the Grand Coulee Dam.

SD-366

Veterans' Affairs

Business meeting, to consider the nomination of Linda Marie Hooks, of Georgia, to be an Assistant Secretary of Veterans Affairs (Acquisition and Fa-

cilities), and to mark up pending legislation.

SR-418

Indian Affairs

To hold joint hearings with the Committee on Energy and Natural Resources' Subcommittee on Water and Power on provisions of S. 2259, to provide for the settlement of the claims of the Confederated Tribes of the Colville Reservation concerning their contribution to the production of the hydropower by the Grand Coulee Dam.

SD-366

AUGUST 12

2:00 p.m.

Indian Affairs

To hold hearings on the nomination of Harold A. Monteau, of Montana, to be Chairman of the National Indian Gaming Commission, Department of the Interior.

SD-628